

Hon. Ricardo S. Martinez

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

PAUL SCOTT, an individual,

Plaintiff,

v.

CALEB CARR, individually; and VITA
INCLINATA TECHNOLOGIES INC., a
Delaware Corporation, as a nominal
Defendant,

Defendants.

NO. 2:20-cv-00236-RSM

**STIPULATED MOTION AND
ORDER FOR EXTENSION OF
CERTAIN DEADLINES**

WHEREAS, on April 7, 2020, the Court issued an Order Setting Trial Date and Related Dates (Dkt. No. 27);

WHEREAS, in Part B of the parties Joint Status Report and Discovery Plan the parties jointly represented to the Court their perceived difficulties in their scheduling needs due to the unprecedented effects of the COVID-19 pandemic and their commitment to work cooperatively with one another to accommodate each other during these unprecedented times (Dkt. No. 24);

WHEREAS, on September 14, 2020, the Court entered a Stipulated Motion and Order For Extension of Certain Deadlines (Dkt. No. 45);

STIPULATED MOTION AND ORDER FOR
EXTENSION OF CERTAIN DEADLINES - 1
Case No. **2:20-cv-00236-RSM**

**TOMLINSON
BOMSZTYK
RUSS**
1000 Second Avenue, Suite 3660,
Seattle, Washington 98104-1046
P/ 206.621.1871 F/ 206.621.9907

WHEREAS, due to the continued unprecedented effects of the COVID-19 pandemic, and the challenges and difficulties associated with conducting discovery while Washington's stay-at-home order was in effect and while each parties' attorneys' physical offices continues to remain closed as of present, the parties believe that a change to the dates and schedule previously set by the Court and agreed to by the parties is necessary;

WHEREAS, the parties have agreed to extend certain deadlines due to the due to the challenges and difficulties associated with conducting discovery, including illness of defense counsel's staff, and other impacts associated with COVID 19;

WHEREAS, the parties believe that the Court is well acquainted with the circumstances of this national health emergency, and is more than likely aware of the general nature of the impact on law firms during this uncertain time; however, should the Court require declarations explaining the impact of the COVID-19 pandemic of their respective counsel's law firms, the parties are more than willing to articulate specific circumstances supporting good cause for this modification.

IT IS HEREBY STIPULATED AND AGREED by and through the undersigned counsel for Plaintiff and Defendant, in accordance with LCR 7(d)(1) and 10(g), subject to the approval of the Court, that trial be continued from August 2, 2021 to August 23, 2021 or as soonest thereafter as the Court permits, and the following deadlines in the shall be modified as set forth below:

Event Title	Current Deadline	Proposed Amended Deadline
JURY TRIAL DATE	August 2, 2021	October 12, 2021

1	All Motions Related to non-expert Discovery must be filed by (see LCR 7(d)	January 27, 2021	March 29, 2021
2			
3	Disclosure of Expert Testimony under FRCP 26(a)(2)	March 5, 2021	May 4, 2021
4	Discovery Completed by	April 30, 2021	June 29, 2021
5	All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	May 7, 2021	July 6, 2021
6			
7			
8	Mediation per LCR 39.1(c)(3), if requested by the parties , held no later than	June 18, 2021	June 18, 2021
9			
10	All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter	July 9, 2021	July 9, 2021
11			
12	Agreed pretrial order due	July 21, 2021	July 21, 2021
13	Pretrial conference to be scheduled by the Court.		
14			
15	Trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due	July 28, 2021	July 28, 2021
16			

DATED this 31st day of December, 2020.

TOMLINSON BOMSZTYK RUSS

By: /s/ Abigail Z. Staggers
 Abigail Staggers, WSBA No. 43962
 Blair M. Russ, WSBA No. 40374
 1000 Second Avenue, 3660
 Seattle, WA 98104
 Phone: (206) 621-1871
 Fax: (206) 621-9907
 Email: azs@tbr-law.com
 bmr@tbr-law.com

Attorneys for Plaintiff Scott

STIPULATED MOTION AND ORDER FOR
 EXTENSION OF CERTAIN DEADLINES - 3
 Case No. **2:20-cv-00236-RSM**

**TOMLINSON
 BOMSZTYK
 RUSS**
 1000 Second Avenue, Suite 3660,
 Seattle, Washington 98104-1046
 P/ 206.621.1871 F/ 206.621.9907

BETTS PATTERSON MINES

By: /s/ Anne Cohen (w/permission
Anne Cohen, WSBA No. 41183
Betts Patterson Mines
111 SW 5th Avenue, Suite 3650
Portland, Oregon 97204
acohen@bpmlaw.com

*Attorney for Defendants Carr and
Vita*

ORDER

Based on the foregoing, IT IS SO ORDERED.

DATED: January 4, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

TOMLINSON BOMSZTYK RUSS

By: /s/ Abigail Z. Staggers

Abigail Staggers, WSBA No. 43962

Blair M. Russ, WSBA No. 40374

1000 Second Avenue, 3660

Seattle, WA 98104

Phone: (206) 621-1871

Fax: (206) 621-9907

Email: azs@tbr-law.com

bmr@tbr-law.com

Attorneys for Plaintiff Scott

BETTS PATTERSON MINES

By: /s/ Anne Cohen (w/permission

Anne Cohen, WSBA No. 41183

Betts Patterson Mines

111 SW 5th Avenue, Suite 3650

Portland, Oregon 97204

acohen@bpmlaw.com

Attorney for Defendants Carr and Vita

STIPULATED MOTION AND ORDER FOR
EXTENSION OF CERTAIN DEADLINES - 5
Case No. **2:20-cv-00236-RSM**

**TOMLINSON
BOMSZTYK
RUSS**
1000 Second Avenue, Suite 3660,
Seattle, Washington 98104-1046
P/ 206.621.1871 F/ 206.621.9907